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Letter dated 7 August 2017 from the Ombudsperson addressed to the President of the Security Council

I have the honour to submit herewith the fourteenth report of the Office of the Ombudsperson, pursuant to paragraph 20 (c) of annex II to Security Council resolution 2368 (2017), according to which the Ombudsperson shall submit biannual reports to the Council summarizing her activities. The report describes the activities of the Office of the Ombudsperson in the period since the previous report was issued, covering the period from 24 January to 7 August 2017.

I would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Catherine **Marchi-Uhel**
Ombudsperson

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Report of the Office of the Ombudsperson pursuant to Security Council resolution 2368 (2017)

I. Background

1. The present report provides an update on the activities undertaken by the Office of the Ombudsperson since the issuance of the thirteenth report of the Office (S/2017/60) on 23 January 2017.

II. Activities related to delisting cases

General

2. The primary activities of the Office of the Ombudsperson during the reporting period related to delisting requests submitted by individuals and entities.

Delisting cases

3. During the reporting period, one new case was submitted to the Office of the Ombudsperson and accepted. The total number of delisting petitions submitted to the Office since its establishment is 79 as at 7 August 2017. Unless the petitioner requests otherwise, all names remain confidential while under consideration and in the case of denial or withdrawal of a petition.

4. In total, the Ombudsperson has submitted 76 comprehensive reports[1] to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities since the Office was established. During the reporting period, she submitted eight reports and appeared before the Committee on five occasions to present nine cases.

5. Since the issuance of the thirteenth report, the names of three individuals have been retained and the names of six individuals have been delisted, through the Ombudsperson process.

6. Cumulatively, since the Office was established, 75 cases involving requests made to the Ombudsperson by an individual, an entity or a combination of the two have been resolved through the Ombudsperson process or through a separate decision of the Committee. In the 73 cases fully completed through the Ombudsperson process, 52 individuals and 28 entities have been delisted, one entity has been removed as an alias of a listed entity, and 16 delisting requests have been refused. In addition, three individuals were delisted by the Committee before the Ombudsperson process was completed and one petition was withdrawn following the submission of the comprehensive report. A description of the status of all of the cases, as at 7 August 2017, is contained in the annex to the present report.

7. There is currently one case pending before the Ombudsperson in the information-gathering phase and two cases pending before the Committee. The request submitted to the Office during the reporting period was presented by an

[1] This number includes one case concluded in 2011, in which the delisting request was withdrawn by the petitioner after the Ombudsperson had submitted and presented her report to the Committee. It also includes one case concluded in 2013, in which the Committee decided to delist the petitioner after the Ombudsperson had submitted her report to the Committee but before she had presented it to the same. This number does not include two additional cases concluded in 2013, in which the Ombudsperson case became moot following a decision by the Committee to delist the petitioners before the Ombudsperson had submitted her report.

individual. To date, in total, 71 of the 79 cases have been brought by individuals, two by an individual together with one or more entities and six by entities alone. In 39 of the 79 cases, the petitioner is or was assisted by legal counsel.

Gathering of information from States

8. In the new case, 10 requests for information have been sent so far, to nine States and one international organization. With respect to the eight cases for which a comprehensive report was submitted to the Committee during the reporting period, there were seven instances in which a State from which information had been requested failed to respond. In addition to the responses received from States to which requests were specifically directed, some Committee members provided information as a result of the general circulation of petitions.

9. During the reporting period, the Ombudsperson met on four occasions with officials in their capital to gather information directly on two specific cases. She also met with the authorities of one State in their capital to discuss broader issues relating to the Ombudsperson process.

10. In the reporting period, none of the designating States consulted during the information-gathering phase indicated that they do not object to delisting. Therefore, the Ombudsperson did not have recourse to paragraph 3 of annex II to resolution 2253 (2015) to shorten that phase.

Dialogue with the petitioner

11. During the period under review, with one exception discussed below, the Ombudsperson and her Office interacted with all petitioners during the dialogue phase of pending cases, including through written exchanges, telephone discussions and face-to-face interviews. During the reporting period, the Ombudsperson travelled to interview five petitioners in person.

Provision of comprehensive reports to interested States

12. In paragraph 13 of annex II to resolution 2368 (2017) it is stipulated that, if requested, the Ombudsperson may provide a copy of the comprehensive report to an interested State (designating State or State of nationality, residence or incorporation) with the approval of the Committee and any redactions needed to protect confidential material. In the reporting period, the Ombudsperson received seven requests for disclosure from States, six of which were approved by the Committee and one of which remains pending with the Committee at the time of this report.

Access to classified or confidential information

13. A formal agreement between Romania and the Office of the Ombudsperson for access to classified information was signed during the reporting period.[2] This brings the total number of agreements or arrangements to 19 with the existing agreement with Austria and 17 arrangements, with Australia, Belgium, Canada, Costa Rica, Denmark, Finland, France, Germany, Ireland, Liechtenstein, Luxembourg, the Netherlands, New Zealand, Portugal, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

14. Efforts have continued to expand the list of arrangements or agreements in this reporting period and it is hoped that further progress will be made in the coming

[2] The text of the agreement is available at www.un.org/sc/suborg/en/ombudsperson/classified_information. Article 13 (1) of the agreement contains the modalities for its entry into force.

months. One State has confirmed that it is willing to enter into an information-sharing agreement and a draft is currently being finalized by the authorities of that State following engagement by the Ombudsperson with the Permanent Mission of the State.

III. Summary of activities related to the development of the Office of the Ombudsperson

General

15. Activities to further develop and strengthen the Office of the Ombudsperson continued during the reporting period to the extent possible.

Outreach and publicizing of the Office

16. The Ombudsperson participated in some outreach activities, as far as possible given the limitations on time and resources.

17. On 24 April 2017, the Ombudsperson gave a briefing to the Constitutional Law Committee of the Parliament of Finland on the role of her Office in the ISIL (Da'esh) and Al-Qaida sanctions regime. On 8 May 2017, the Ombudsperson provided an update on the status of cases in her office and discussed the following substantive issues in an open briefing to Member States: relevance of the Ombudsperson mechanism as seen from the practice of the General Court of the European Union; developments relating to reasons letters; and progress made in terms of informal arrangements with the Secretariat aimed at guaranteeing the independence of the Office. On 3 June 2017, the Ombudsperson participated in a workshop organized in Geneva by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. The experts consulted by the Special Rapporteur during the workshop discussed proposals he has put forward to the Human Rights Council and the General Assembly, namely, proposals for a United Nations registry for unilateral coercive measures and a United Nations declaration on unilateral coercive measures and the rule of law with a focus on redress and reparation. On 24 July 2017, the Ombudsperson briefed States members of the European Union on various aspects of the upcoming transition in the Office of the Ombudsperson, following her appointment on 3 July 2017 by the Secretary-General as Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Interaction with the Committee

18. Since 24 January 2017, the Ombudsperson has appeared before the Committee on six occasions. On 3 February 2017, she presented her report in one case in which the petitioner was retained on the list. On 1 March 2017, she presented her reports in the cases of Ata Abdoulaziz Rashid (delisted; formerly QDi.199) and Fadh Muhammad Abd al-Aziz al-Khashiban (delisted; formerly QDi.233). On 11 April 2017, she presented her reports in the cases of Dieman Abdulkadir Izzat (delisted; formerly QDi.200) and Fritz Martin Gelowicz (delisted; formerly QDi.259). On 19 May 2017, she presented her report in the case of Othman Deramchi (delisted; formerly QDi.164). On 13 July 2017 she presented her reports in two cases in which the petitioners were retained on the list and in the case of Adil Muhammad Mahmud Abd al-Khaliq (delisted; formerly QDi.255). On the latter occasion, in the light of her appointment as Head of the Mechanism relating to the Syrian Arab Republic, she also briefed the Committee on the transitional measures she recommended the

Committee to adopt to safeguard the rights of the petitioners who currently have a pending delisting request before the Ombudsperson. Further, on 7 August 2017, the Ombudsperson briefed the Committee on issues of confidentiality attaching to comprehensive reports.

19. As was previously the case, the Ombudsperson and staff supporting her Office have continued to engage regularly with the Coordinator and members of the Monitoring Team. The Monitoring Team has continued to provide relevant information in accordance with paragraph 4 of annex II to Security Council resolution 2368 (2017). During the reporting period, the Monitoring Team assisted the Office of the Ombudsperson in reviewing delisting requests and supporting materials which were in Arabic. The Team also helped the Office with German- and Arabic-language communication with petitioners.

Liaison with States, intergovernmental organizations, United Nations bodies and non-governmental organizations

20. The Ombudsperson and staff supporting her Office continued to interact with States during the reporting period, in particular States of relevance to the pending delisting petitions. In the reporting period they had several bilateral meetings with States interested in the work of the Office in order to discuss general issues, including issues related to possible options to increase the independence of the Office. The Ombudsperson continued discussions with a number of States concerning agreements or arrangements on access to confidential or classified information. She also maintained contacts with the informal Group of Like-Minded States on Targeted Sanctions.[3] The Ombudsperson also met with some State officials in their capitals for general discussions and to obtain information regarding particular cases. The Ombudsperson also approached the Counter-Terrorism Committee Executive Directorate and the ICT for Peace Foundation to explore potential issues arising from possible partnerships with certain entities on the access to information.

Working methods and research

21. As in the past, casework in this reporting period involved open-source research to collect information relevant to delisting requests. The research capacity of the Office increased during this reporting period with the much-anticipated arrival of the new Research Assistant who joined the team in February 2017. She replaced the Administrative Assistant who had left at the beginning of the previous reporting period.

Website

22. The website of the Office of the Ombudsperson (www.un.org/sc/suborg/en/ombudsperson) has continued to be revised and updated.

[3] Comprising Austria, Belgium, Costa Rica, Denmark, Germany, Finland, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland.

IV. Observations and conclusions

Fairness and transparency of the process

Access to petitioners

23. During the dialogue phase, the Ombudsperson is required to meet with the petitioner, to the extent possible.[4] During the reporting period, the Ombudsperson approached the authorities of one of the designating States in the case of a detained petitioner with a view to exploring the possibility of meeting him in person. An in-person interview is in principle the best way to assess a petitioner's credibility and state of mind. Not only is such an assessment critical to determining whether he or she has engaged in a disassociation process, it is also important in cases where a petitioner has been detained for a significant period of time and no recent information on any activities in support of a listed entity is available.[5] In this particular case, moreover, in the light of the information gathered, an in-person interview would inevitably have generated an extensive number of topics, questions and follow-up questions. In this case there was no other opportunity for the petitioner to be heard.

24. The Ombudsperson had the opportunity to meet with the relevant authorities early in the process and to explain the importance of conducting an in-person interview in this particular case. However, without providing any reason, those authorities informally conveyed to the Ombudsperson that no in-person contact with the petitioner would be authorized in this case. Further, the Ombudsperson received no response to her repeated attempts to explore the possibility of providing the petitioner with an opportunity to be heard through another form of engagement with the Ombudsperson, whether through videoconference or even telephone. This complete lack of cooperation from the State in question with respect to access to the petitioner is all the more surprising as this State usually extends support and cooperation to the Office of the Ombudsperson. As no access to the petitioner was granted to the Ombudsperson, she had no choice but to meet with the petitioner's counsel instead. As a result, the Ombudsperson was unable to engage with the petitioner and directly assess the petitioner's current state of mind. The Ombudsperson based her analysis and recommendation on the information before her and submitted her report to the Committee. However, the petitioner in this case had no opportunity to know the case and respond to the information. As a result, the petitioner was not accorded all the elements of fairness envisaged under resolution 2368 (2017). The Ombudsperson raised her concerns in this respect with the Committee and proposed an exceptional measure to mitigate the fact that the petitioner did not get the opportunity to know the case against him. At the date of this report, the case remains pending before the Committee.

Reasons letters

25. Pursuant to the successive resolutions, the Ombudsperson is required to treat the content of her comprehensive reports as confidential. In her previous report the Ombudsperson pointed to the fact that the Committee had discontinued altogether its previously positive practice of providing increasingly substantive reasons letters to petitioners which included large excerpts of the Ombudsperson's analysis.[6] In the light of the importance of such letters for the transparency of the process and of its overall fairness (and perception thereof), the Ombudsperson expressed the hope that

[4] Resolution 2368 (2017), annex II, para. 7 (c).

[5] See S/2017/60, para. 32.

[6] Ibid., para. 28.

the Committee would revert to its earlier practice in this respect.[7] This was not the case during the reporting period. However, new language proposed by the Ombudsperson was introduced by the Security Council in paragraph 16 of annex II to resolution 2368 (2017). The Ombudsperson welcomes this change which, it is to be hoped, will put a halt to the recent practice of the Committee described below, and has thus the potential to increase the level of fairness of the review process.

26. According to the new language, in cases where the Committee follows the Ombudsperson's recommendation, the Ombudsperson submits to the Committee, for its review, a summary of the analysis contained in the comprehensive report. This follows the existing practice whereby in such cases, that is in all cases to date, the reasons contained in the Committee's letter were not the reasons of the Committee but rather a summary of the Ombudsperson's analysis contained in her comprehensive report. According to this practice, now formalized in annex II to resolution 2368 (2017), only a summary of the Ombudsperson's analysis, approved by the 15 members of the Committee, is disclosed to the petitioner. This summary is prepared by the Ombudsperson because she has the best understanding of the reasons contained in her own analysis and is thus best placed to assist the Committee with the preparation of its reasons letter.

27. According to new paragraph 16 of annex II, the purpose of the Committee's review is to address any security concerns, including to ascertain whether any information which is confidential to the Committee has been inadvertently included in the summary. This specification of the purpose of the Committee's review is important because of the unhelpful practice adopted by the Committee in the past year and especially during the reporting period. In a recent retention case for which the Ombudsperson's draft summary was already reduced to half the length of the analysis contained in the comprehensive report, the Ombudsperson was asked to perform further cuts so as not to exceed a set number of pages. The number of pages appeared to have been chosen arbitrarily and was meant to be applied equally in all cases. The process of "cutting for the sake of cutting" such summaries and imposing a maximum page limit was particularly intrusive. The Ombudsperson has no control over the "size" of a case, the amount of information gathered or the number of arguments raised by a petitioner. The Ombudsperson therefore needs to have leeway, in terms of the number of pages used, to capture a sufficient amount of the analysis for the summary to be a fair and transparent representation of the process. Such excessive cuts were contrary to the need for transparency which is at the core of the concept of fairness applied to sanctions. The reductions were problematic because they could lead to omitting responses to key arguments of the petitioner, or affect the logical sequence of reasoning underlying the recommendation, which would encroach on the Ombudsperson's independence.

28. The new paragraph 16 is in this respect particularly helpful. It recognizes that the summary must accurately describe the principal reasons for the recommendation of the Ombudsperson, as reflected in the analysis of the Ombudsperson. In cases where the listing is retained, the summary of the analysis must cover all of the arguments for delisting put forward by the petitioner to which the Ombudsperson responded. In cases of delisting, it further specifies that the summary must include the key points of the analysis of the Ombudsperson.

29. From the point of view of fairness and transparency, the ideal scenario would be one where the Ombudsperson would be the sole judge of the amount and content of reasons communicated to a petitioner in all cases where her recommendation is followed by the Committee. However, in the light of security interests at stake and of the sensitivity of some of the information shared with the Ombudsperson for

[7] Ibid., paras. 30 and 41.

inclusion in her comprehensive reports, the new language is a good compromise. The Ombudsperson welcomes the fact that the Security Council seized this opportunity to rectify a practice which was eroding the fragile fairness of the Ombudsperson process.

Delay in notifying the petitioner

30. The Ombudsperson is pleased to note that the new resolution allows her to immediately notify the petitioner when the Committee has followed her recommendation.[8] For reasons exposed in the tenth, eleventh and twelfth reports this was already the practice in delisting cases.[9] The new language formalizes this practice and, as proposed in those reports, extends it to situations of retention on the list. In addition, the deadline for the Committee to review the summary of the analysis contained in the comprehensive report and to convey these reasons to the Ombudsperson for onward transmission to the petitioner has been shortened from 60 to 30 days.

Cooperation of States and State support to the Office

31. States that are generally supportive of the Office of the Ombudsperson continued to express and demonstrate such support during the reporting period, with the exception of one State, as detailed above. During the previous reporting period, the Ombudsperson had stressed the importance of States responding to requests for information, even when they are not in a position to share relevant information in a specific request. These efforts have proved successful in part, as several States which had failed to respond previously to such requests did so during the reporting period. However, more efforts in this direction are needed.

Rehabilitation programme

32. During the reporting period, the Ombudsperson engaged in discussions on an initiative by Kuwait aimed at putting in place a one-year rehabilitation programme for listed nationals of that State, under the auspices of a government committee. The aim of the programme is to support the disassociation effort of individuals who admit to their prior actions, with a view to increasing their chances of being delisted from the sanctions list. Interesting features of the programme include a social integration plan, participation in lectures, adherence to certain rules in the use of social media, monthly meetings with representatives of the government committee, the opportunity for therapy and quarterly assessment by the government committee. For those individuals who, either during the course of the programme or following its completion, would request their delisting from the sanctions list via the Ombudsperson, Kuwait would be prepared to share the assessment reports on the progress of the participant with the Ombudsperson and, through him or her, with the Committee. The Ombudsperson welcomes this initiative and the fruitful cooperation with this State on this issue. She is hopeful that the programme will achieve the expected results and trusts that other States will be inspired to offer similar opportunities to their citizens.

Requirement of independence and impartiality and consideration of States' opinions

33. During the reporting period, several States expressed their perception and concern that the Ombudsperson may not be giving full consideration to the opinions expressed by States on particular delisting requests. These expressions of anxiety

[8] Resolution 2368 (2017), annex II, para. 16.

[9] See S/2015/533, para. 47, S/2016/96, para. 42, and S/2016/671, para. 31.

seem to reveal a recurring concern and a misunderstanding of the role and independence of the Ombudsperson. In fact, one State had highlighted this concern at the beginning of the Ombudsperson's tenure, before she had even issued her first comprehensive report. The dissatisfaction seems to emanate from cases where one or more States have expressed their opinion that the name of the petitioner should be retained on the sanctions list but where, on the basis of her assessment of the information gathered in the light of the applicable standard, the Ombudsperson ultimately recommended that the Committee consider delisting the name of the petitioner. States expressing such concerns and dissatisfaction were both members and non-members of the Committee. Some of those States submitted information relevant to the particular delisting request. In one case, the information did not support the position of the State. In other cases, States opposing a delisting request did not even submit information in support of their position.

34. Reviewing delisting requests is a very sensitive matter, involving security interests and human rights considerations. It is therefore to be expected that in a given case some States may disagree with the Ombudsperson's recommendation. The Ombudsperson is fully aware of her obligation to give serious consideration to the opinions of designating States and of other Member States that come forward with relevant information, in particular those Member States that are the most affected by the acts or associations that led to the original listing. The Ombudsperson has taken this requirement very seriously in each case where one or more States elected to offer an opinion on the merits of a delisting request.

35. However, those perceptions clearly reveal a lack of understanding of the way in which this requirement accords with the overall obligation of independence and impartiality which are at the core of the Ombudsperson process.

36. The Ombudsperson may not ignore the opinions of designating States, or those of other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original listing. The obligation to give serious consideration to those opinions is mandated in annex II to resolution 2368 (2017). The resolution makes equally clear that, in reviewing delisting requests, the Ombudsperson must act in an independent and impartial manner and neither seek nor receive instructions from any Government. These simultaneous requirements are fully compatible with each other and equally guide the Ombudsperson's approach in reviewing delisting requests.

37. The requirement to give serious consideration to the opinions expressed by States does not imply that the Ombudsperson should unconditionally follow such opinions. Such an interpretation would not only be unsustainable in the relatively frequent cases where the States which have expressed their opinion to the Ombudsperson about the delisting request diverge as to whether the listing should be maintained or terminated. It would also be incompatible with the requirement of independence and impartiality imposed on the Ombudsperson. The extent to which in a given case the Ombudsperson can follow the opinion expressed by a State depends on whether the opinion in question is sustained by the application of the standard to the totality of the information gathered in that case, and only to such information.

38. There are inevitably instances in which the Ombudsperson and one or more States choosing to express their opinion may diverge as to the merits of a delisting request. This is, first, because the Ombudsperson and the States in question do not necessarily have access to the same information. States do not always share with the Ombudsperson the information based on which they form their opinion, or the totality of it. The Ombudsperson may base her recommendation only on information before her and it would be improper for her to speculate on the existence and

content of information which a State has chosen not to share with her. Even when States make available the totality of the information based on which they have formed their opinion, they may not have access to the totality of the information gathered by the Ombudsperson. Through privileged dialogue with the petitioner, the Ombudsperson receives a unique perspective on the case. In addition, the Ombudsperson may receive confidential information from States or other sources, with a request not to share it with petitioners, States or even the Committee. In such cases, the Committee will not have access to information which may be determinative in recommending a delisting.

39. A difference of views on whether the delisting request should be granted may even exist in cases in which States and the Ombudsperson have had access to the same information. The Ombudsperson assesses whether there is sufficient information to constitute a reasonable and credible basis to maintain the listing at the time of review. Interaction with States, including Committee members, in the context of gathering information shows that when they form their opinion some States rely on their domestic standard, which may differ from the standard applied by the Ombudsperson. Other States do not rely on any standard at all and form their opinion based on considerations other than the present existence of an association with ISIL or Al-Qaida, the criterion for listing. Other divergences may arise from the fact that a State considers that sanctions should be punitive, rather than preventative, the purpose stated in Security Council resolutions. It may also stem from a State's particular understanding of the listing criteria and the notion of "association" and "disassociation". This interpretation does not always accord with the legal framework applicable to the sanctions regime.

40. The above divergences may lead one or more States to believe in a given case that the Ombudsperson has not sufficiently taken into account their opinion. To mitigate such a risk, the only tool at the disposal of the Ombudsperson is the care she applies in reasoning her recommendation in each case. The analysis and observations contained in the comprehensive report in principle contain sufficient explanations to inform the Committee why the Ombudsperson has not followed the opinion expressed by one or more States. However, owing to confidentiality constraints imposed by information providers, including States expressing an opinion, the Ombudsperson must omit from the comprehensive report information and analysis of the same which might otherwise be needed to fully disclose her reasoning. In addition, only a limited number of States that are not members of the Committee may, upon request and with the consent of the Committee, be provided with a copy of the comprehensive report.[10] Beyond that limited circle, States having expressed an opinion have no access to the comprehensive report even if they have provided relevant information to the Ombudsperson. Those States will therefore not have access to the Ombudsperson's reasoning.

Procedure and practices related to States' disagreement with recommendations

41. Resolution 2368 (2017) clearly lays down the procedure for handling the disagreement of one or more members of the Committee with a delisting recommendation by the Ombudsperson. Such a disagreement may materialize following one or more objections during the non-objection procedure envisaged by the Committee guidelines. The freeze of assets, travel ban and arms embargo will terminate with respect to the petitioner after 60 days, unless one of the two scenarios envisaged by paragraph 62 of the resolution occurs, namely, a reverse consensus or referral of the matter to the Security Council for its decision.

[10] According to resolution 2368 (2017), annex II, para. 13, these are a designating State, or State of nationality, residence or incorporation.

42. Resolution 2368 (2017) gives standing to States consulted by the Ombudsperson as relevant States to express their opinion to the Ombudsperson on whether the delisting request should be granted. Such standing is not limited to States that are members of the Committee. The resolution does not however give standing to States that are not members of the Committee to intervene in the latter's consideration of a delisting request. The Ombudsperson is authorized to inform the designating State(s), State(s) of residence, nationality or incorporation and any other relevant States of the recommendation only after the Committee has completed its consideration of the comprehensive report. Furthermore, it is only after such consideration that the Ombudsperson may, upon request by a designating State, or State of nationality, residence or incorporation, and with the approval of the Committee, provide a copy of the comprehensive report, with any redactions deemed necessary, to the requesting State.

43. Practice observed during the reporting period shows however, that some States find other ways than those authorized by the Security Council to be informed of the recommendation before the Committee has completed its consideration of the recommendation and to attempt to interfere in the process. It is not for the Ombudsperson to comment on the political and diplomatic character of the listing and delisting processes initiated by States, or on the practice of bilateral diplomatic negotiations and selective disclosure of intelligence among States which sometimes takes place in this context. Since the establishment of the Office of the Ombudsperson, the Security Council has repeatedly stated its commitment to continue to improve the fairness and transparency of sanctions procedures. It is the Ombudsperson's view that, in the context of a pending delisting request following a recommendation by the Ombudsperson, such practices are neither conducive to the fairness and transparency of the delisting process nor even compatible with it.

Confidentiality

44. In one case which concluded during the reporting period, the State of nationality, which is not a member of the Committee, obtained the watermarked version of a confidential comprehensive report of the Ombudsperson before the Committee had concluded its consideration of the same. As noted above, paragraph 13 of annex II to resolution 2368 (2017)[11] allows the Ombudsperson to provide a copy of that document, with any redactions deemed necessary by the Committee, to the designating State, or State of nationality, residence or incorporation. In the Ombudsperson's understanding, she may seek the Committee's approval to share a comprehensive report with those States, upon request, only after the Committee has completed its consideration of the same.[12] In this particular case, the State obtained a copy of the report before that time, and even before the Ombudsperson had sought the approval of the Committee to make it available to that State. The confidential report was thus shared without the Committee's approval, in violation of the resolution. After having obtained the comprehensive report without the approval of the Committee, the State of nationality in this case shared the unredacted version of report with counsel for the petitioner.

45. Such a practice raises concern and is unhelpful. It gives rise to concern because it suggests that the confidentiality attached to the documents is treated lightly. As a result, information which the Ombudsperson meant only for the

[11] This is the same text as paragraph 13 of annex II to resolution 2253 (2015).

[12] This understanding is based on the placement of paragraph 13 in annex II to resolution 2253 (2015), under "Committee discussion" and after paragraph 11, concerning the completion of the Committee's consideration of the comprehensive report, and paragraph 12, by which the Ombudsperson is required to notify all relevant States of the recommendation after the Committee has completed its consideration of the comprehensive report.

Committee may end up with States outside the Committee or, as in this case, with petitioners. This raises an obvious security concern. In addition, the timing of the disclosure of the Ombudsperson's comprehensive report to States outside the Committee is important. As noted above, in the Ombudsperson's understanding, the reports are meant to remain internal until the Committee has concluded its consideration of the matter. This provides a protection against interference in the Committee's work in instances in which certain actors may dislike the Ombudsperson's recommendation. Practices like the ones observed in the reporting period invite interference from States that should not be part of the decision-making process.

46. These practices are also unhelpful, because information providers share information based on an understanding or agreement with the Ombudsperson as to the addressees of this information. Until now, the Ombudsperson has been involved in the Committee's decision-making process with respect to the final destination of the information contained in her comprehensive reports by suggesting redactions of the same to the Committee. To date, the Committee has always implemented redactions proposed by the Ombudsperson. If the Ombudsperson is deprived of the opportunity to meaningfully participate in this process because unredacted versions of the report are leaked, she may no longer be able to guarantee the confidentiality of information to providers who request it. Alternatively, the Ombudsperson may lose the trust of those providers, who may become cautious or unwilling to share information with the Ombudsperson. As the Ombudsperson's work depends hugely on the ability to gather information, this is a very worrying prospect.

47. It is obvious from this example and the one mentioned in the previous section that some States consider that the Ombudsperson's comprehensive reports and recommendations should be shared outside the Committee. The Ombudsperson supports an approach which would provide more transparency to the process. Perhaps this occurrence could be used as a starting point for discussions on disclosing the comprehensive report of the Ombudsperson, with appropriate redactions, to interested States other than the ones listed in paragraph 13 to annex II of the resolution, the petitioner, and even the public, at the appropriate time. This would be a giant step towards a much-needed increase of transparency in this process. If the Ombudsperson were authorized to do this, she or he could prepare two versions of the comprehensive report. The Committee would receive a full version, while other States and the petitioners would ultimately receive a redacted version. Redactions would remove the names of sources such as the identity of States having provided information (unless the source agreed to its disclosure) and address any other security concerns which the information provider or the Committee may have. Redacted versions would be prepared by the Ombudsperson in consultation with the Chair and would have to be approved by the Committee.

Informal arrangements reinforcing the independence of the Office

48. The thirteenth report described the adoption of some informal arrangements by the Secretariat with a view to reinforcing the independence of the Office of the Ombudsperson.[13] In the same report the hope was expressed that the Secretariat could achieve further progress in relation to addressing the requirement of certification of service embedded in consultancy contracts, which covers both

[13] See S/2017/60, para. 36, referring to four informal measures: The views of the Ombudsperson will be taken into account in the performance appraisals of the staff supporting the Office; all recruitment processes for the staff supporting the Office will involve the Ombudsperson and her views will be taken into account; the Ombudsperson will have access to all material, including electronic drives, relevant to the work of the Office; and the Ombudsperson will have full editorial control of the Office website.

performance and attendance and is considered to be fundamentally inconsistent with the independent role and functions of the Ombudsperson.[14] I am pleased to report that this has been the case. If required, the output evaluation will be submitted only after the Ombudsperson has concluded her period of assignment and will make clear that such evaluation contains no substantive assessment of the Ombudsperson's work. The Ombudsperson understands that the Department of Political Affairs is also exploring the possibility of an additional step, which, if implemented, would remove any possible remaining concern regarding the appearance of independence of the Ombudsperson.

Transition

49. On 3 July 2017, the Secretary-General appointed the incumbent of the Ombudsperson position as Head of the Mechanism relating to the Syrian Arab Republic. In order to allow for her prompt transition into her new function, the Ombudsperson immediately prepared a plan containing transitional measures to safeguard the rights of the petitioners who currently have a pending delisting request before the Ombudsperson, or who submit such a request before the incoming Ombudsperson has taken up his or her duties. The Ombudsperson proposed these transitional measures to the Committee on 5 July 2017. One of the proposals was to include language in the new resolution to facilitate the transition process, including on the presentation of cases to the Committee by the Ombudsperson having prepared the comprehensive report in those cases. Another proposal would have allowed the extension of resolution deadlines in pending cases as a transitional measure. The Ombudsperson immediately engaged with Committee members to develop satisfactory resolution language, in the hope that the Security Council would see the value of the proposals and would adopt them. However, neither the proposals nor alternative transitional measures were adopted in the new resolution. It is hoped that in these circumstances the Committee will adapt its earlier practice developed in the context of the previous transition to allow the Ombudsperson to present her comprehensive reports to the Committee after the end of her mandate, even if the incoming Ombudsperson has yet to take office. There will also be a need for the Committee to adapt its practice to ensure that timelines are extended as needed in pending cases until the incoming Ombudsperson is in office. The Ombudsperson has left detailed instructions for the staff members supporting the Office of the Ombudsperson to ensure that the Office remains operational during the transition period. She hopes and trusts that the Committee and the Secretariat will extend their full cooperation and support to them so that they can maintain a functional office and prevent any undue delays in the consideration of delisting requests by the incoming Ombudsperson.

Conclusion

50. In the reporting period, the capacity of the Ombudsperson process to deliver fairness and transparency in an independent manner has again been put to the test. Within the limitations imposed by the resolution, varying degrees of cooperation of States, and a particularly strong climate of interference in this reporting period, the Ombudsperson has successfully upheld these values and maintained or even reinforced the credibility of the process. The Ombudsperson mechanism thus remains an important protection against arbitrariness.

51. In the two years since the appointment of the current Ombudsperson, the Office of the Ombudsperson has received 15 additional requests for delisting, bringing the total number of petitions received by this Office since it started

[14] See S/2017/60, para. 37.

operating seven years ago to 79. These numbers are a continuous credit to the effective implementation of the mandate, which has given it the reputation of a fair, independent and credible recourse. The fact that the mechanism is used confirms that the recourse it offers is a much-needed last link in the sanctions chain. Some States continue to act as if the requirements of impartiality and independence of the Ombudsperson were not the best guarantee of the effective implementation of sanctions, especially when they are personally concerned. However, the availability of such a trusted recourse undeniably strengthens the effectiveness of the sanctions measures by providing the guarantee to States which uphold the rule of law that the sanctions remain necessary and fair at any particular time.

52. There remain areas for improvement as outlined in this and previous reports. The overly strict limitations on transparency only serve to weaken the mechanism and to encourage violations of the confidentiality terms of the resolution. The best way to protect sensitive and justifiably confidential information may well be to scale back on those limitations and instead work towards a more open process with sufficient and appropriate disclosure of information, at the right time. In turn, limiting the disclosure of information to instances in which it really matters would allow the Committee to retain stricter control over such information.

53. As this is her last report to the Security Council in this position, the Ombudsperson expresses the hope that her successor will be appointed soon and will carry the torch in these important areas.

Annex

Status of cases

Case 1, one individual (Status: denied)

Date	*Description*
28 July 2010	Transmission of case 1 to the Committee
28 February 2011	Comprehensive report submitted to the Committee
10 May 2011	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
14 June 2011	Committee decision
1 September 2011	Formal notification to petitioner with reasons

Case 2, Safet Ekrem Durguti (Status: delisted)

Date	*Description*
30 September 2010	Transmission of case 2 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

Case 3, one entity (Status: delisting request withdrawn by petitioner)

Date	*Description*
3 November 2010	Transmission of case 3 to the Committee
14 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of Comprehensive Report by the Ombudsperson to the Committee
2 August 2011	Withdrawal of petition

Case 4, Shafiq Ben Mohamed Ben Mohammed Al Ayadi (Status: delisted)

Date	*Description*
6 December 2010	Transmission of case 4 to the Committee
29 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
17 October 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

Case 5, Tarek Ben Al-Bechir Ben Amara Al-Charaabi (Status: delisted)

Date	*Description*
30 December 2010	Transmission of case 5 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

Case 6, Abdul Latif Saleh (Status: delisted)

Date	*Description*
14 January 2011	Transmission of case 6 to the Committee
17 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
19 August 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

Case 7, Abu Sufian Al-Salamabi Muhammed Ahmed Abd Al-Razziq (Status: delisted)

Date	*Description*
28 January 2011	Transmission of case 7 to the Committee
29 August 2011	Comprehensive report submitted to the Committee
15 November 2011	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
30 November 2011	Committee decision to delist
13 February 2012	Formal notification to petitioner with reasons

Case 8, Ahmed Ali Nur Jim'ale and 23 entities[a] (Status: delisted)

Date	*Description*
17 March 2011	Transmission of case 8 to the Committee
23 September 2011	Comprehensive report submitted to the Committee
13 December 2011	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
27 December 2011	Committee decision to delist six entities
21 February 2012	Committee decision to delist one individual and 17 entities
8 June 2012	Formal notification to petitioner with reasons

[a] Barakaat North America, Inc., Barakat Computer Consulting, Barakat Consulting Group, Barakat Global Telephone Company, Barakat Post Express, Barakat Refreshment Company, Al Baraka Exchange, LLC, Barakaat Telecommunications Co. Somalia, Ltd., Barakaat Bank of Somalia, Barako Trading Company, LLC, Al-Barakaat, Al-Barakaat Bank, Al-Barakaat Bank of Somalia, Al-Barakat Finance Group, Al-Barakat Financial Holding Co., Al-Barakat Global Telecommunications, Al-Barakat Group of Companies Somalia Limited, Al-Barakat International, Al-Barakat Investments, Barakaat Group of Companies, Barakaat Red Sea Telecommunications, Barakat International Companies and Barakat Telecommunications Company Limited.

Case 9, Saad Rashed Mohammed Al-Faqih and Movement for Reform in Arabia (Status: delisted)

Date	*Description*
19 April 2011	Transmission of case 9 to the Committee
21 February 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
1 July 2012	Committee decision to delist
13 November 2012	Formal notification to petitioner with reasons

Case 10, Ibrahim Abdul Salam Mohamed Boyasseer (Status: delisted)

Date	*Description*
6 May 2011	Transmission of case 10 to the Committee
9 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
8 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 11, Mondher ben Mohsen ben Ali al-Baazaoui (Status: delisted)

Date	*Description*
1 June 2011	Transmission of case 11 to the Committee
19 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
30 March 2012	Committee decision to delist
10 July 2012	Formal notification to petitioner with reasons

Case 12, Kamal ben Mohamed ben Ahmed Darraji (Status: delisted)

Date	*Description*
30 June 2011	Transmission of case 12 to the Committee
28 February 2012	Comprehensive report submitted to the Committee
3 April 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
4 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 13, Fondation Secours Mondial (Status: amended[a])

Date	*Description*
7 July 2011	Transmission of case 13 to the Committee
14 December 2011	Comprehensive report submitted to the Committee
24 January 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
17 February 2012	Committee decision to amend
9 July 2012	Formal notification to petitioner with reasons

[a] Amended to be removed as an alias of Global Relief Foundation (QE.G.91.02.).

Case 14, Sa'd Abdullah Hussein al-Sharif (Status: delisted)

Date	*Description*
20 July 2011	Transmission of case 14 to the Committee
29 February 2012	Comprehensive report submitted to the Committee
3 April 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
27 April 2012	Committee decision to delist
5 June 2012	Formal notification to petitioner with reasons

Case 15, Fethi ben al-Rebei Absha Mnasri (Status: delisted)

Date	*Description*
4 August 2011	Transmission of case 15 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 16, Mounir Ben Habib Ben al-Taher Jarraya (Status: delisted)

Date	*Description*
15 August 2011	Transmission of case 16 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 17, Rachid Fettar (Status: delisted)

Date	*Description*
26 September 2011	Transmission of case 17 to the Committee
27 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 18, Ali Mohamed El Heit (Status: delisted)

Date	*Description*
5 October 2011	Transmission of case 18 to the Committee
2 May 2012	Comprehensive report submitted to the Committee
3 July 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
19 July 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 19, Yassin Abdullah Kadi (listed as Yasin Abdullah Ezzedine Qadi) (Status: delisted)

Date	*Description*
16 November 2011	Transmission of case 19 to the Committee
11 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
5 October 2012	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 20, Chabaane ben Mohamed ben Mohamed al-Trabelsi (Status: delisted)

Date	*Description*
21 November 2011	Transmission of case 20 to the Committee
23 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 21, Adel Abdul Jalil Ibrahim Batterjee (Status: delisted)

Date	*Description*
3 January 2012	Transmission of case 21 to the Committee
30 August 2012	Comprehensive report submitted to the Committee
6 November 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
14 January 2013	Committee decision to delist
5 September 2013	Formal notification to petitioner with reasons

Case 22, Ibrahim ben Hedhili ben Mohamed al-Hamami (Status: delisted)

Date	*Description*
6 February 2012	Transmission of case 22 to the Committee
25 September 2012	Comprehensive report submitted to the Committee
6 November 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
21 November 2012	Committee decision to delist
7 February 2013	Formal notification to petitioner with reasons

Case 23, Suliman Hamd Suleiman Al-Buthe (Status: delisted) (Repeated request)

Date	*Description*
23 February 2012	Transmission of case 23 to the Committee
9 October 2012	Comprehensive report submitted to the Committee
27 November 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
10 February 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

Case 24, Mamoun Darkazanli (Status: delisted)

Date	*Description*
28 February 2012	Transmission of case 24 to the Committee
12 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
11 March 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

Case 25, Abdullahi Hussein Kahie (Status: delisted)

Date	*Description*
28 February 2012	Transmission of case 25 to the Committee
26 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
26 September 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 26, Usama Muhammed Awad Bin Laden (Status: delisted) Ombudsperson case became moot following the Committee's decision of 21 February 2013

Date	*Description*
23 April 2012	Transmission of case 26 to the Committee
15 February 2013	Comprehensive report submitted to the Committee
21 February 2013	Committee decision to delist

Case 27, one individual (Status: denied)

Date	*Description*
7 May 2012	Transmission of case 27 to the Committee
11 February 2013	Comprehensive report submitted to the Committee
7 May 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
7 May 2013	Committee decision to retain listing
12 June 2013	Formal notification to petitioner with reasons

Case 28, one individual (Status: denied)

Date	*Description*
7 June 2012	Transmission of case 28 to the Committee
20 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
8 January 2013	Committee decision to retain listing
29 January 2013	Formal notification to petitioner with reasons

Case 29, Muhammad ʻAbdallah Salih Sughayr (Status: delisted)

Date	*Description*
25 July 2012	Transmission of case 29 to the Committee
9 April 2013	Comprehensive report submitted to the Committee
21 May 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 July 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 30, Lajnat Al Daawa Al Islamiya (LDI) (Status: delisted)

Date	*Description*
25 July 2012	Transmission of case 30 to the Committee
15 April 2013	Comprehensive report submitted to the Committee
2 July 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
3 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 31, Abd al Hamid Sulaiman Muhammed al-Mujil (Status: delisted)

Date	Description
1 August 2012	Transmission of case 31 to the Committee
13 March 2013	Comprehensive report submitted to the Committee
30 April 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
30 June 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 32, Mohamed ben Mohamed ben Khalifa Abdelhedi (Status: delisted)

Date	Description
19 September 2012	Transmission of case 32 to the Committee
5 March 2013	Comprehensive report submitted to the Committee
16 April 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
1 May 2013	Committee decision to delist

Case 33, Mohammed Daki (Status: delisted)

Date	Description
12 October 2012	Transmission of case 33 to the Committee
28 May 2013	Comprehensive report submitted to the Committee
30 July 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
16 August 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 34, Abdelghani Mzoudi (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 18 March 2013

Date	Description
8 November 2012	Transmission of case 34 to the Committee
18 March 2013	Committee decision to delist

Case 35, International Islamic Relief Organization, Philippines, Branch Offices (Status: delisted)

Date	*Description*
13 December 2012	Transmission of case 35 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 36, International Islamic Relief Organization, Indonesia, Branch Offices (Status: delisted)

Date	*Description*
13 December 2012	Transmission of case 36 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 37, Jaber Abdullah Jaber Ahmed Al-Jalahmah (Status: delisted)[c]

Date	*Description*
4 February 2013	Transmission of case 37 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

[c] Jaber Abdullah Jaber Ahmed Al-Jalahmah was re-listed on the same date by a separate Committee decision.

Case 38, Moustafa Abbas (listed as Moustafa Abbes) (Status: delisted)

Date	*Description*
13 February 2013	Transmission of case 38 to the Committee
12 August 2013	Comprehensive report submitted to the Committee
13 September 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
30 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 39, Atilla Selek (Status: delisted)

Date	*Description*
13 February 2013	Transmission of case 39 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 40, Youssef ben Abdul Baki Ben Youcef Abdaoui (Status: delisted)

Date	*Description*
4 March 2013	Transmission of case 40 to the Committee
14 November 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
14 April 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 41, L'hadi Bendebka (listed as Abdelhadi Ben Debka) (Status: delisted)

Date	*Description*
12 March 2013	Transmission of case 41 to the Committee
14 October 2013	Comprehensive report submitted to the Committee
3 December 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
18 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 42, Youcef Abbas (listed as Youcef Abbes (Status: delisted)

Date	*Description*
4 March 2013	Transmission of case 42 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
15 November 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
3 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 43, Said Yousef AbouAziz (listed as Said Youssef Ali Abu Aziza) (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 26 August 2013

Date	*Description*
27 March 2013	Transmission of case 43 to the Committee
26 August 2013	Committee decision to delist

Case 44, one individual (Status: denied)

Date	*Description*
2 May 2013	Transmission of case 44 to the Committee
4 February 2014	Comprehensive report submitted to the Committee
21 April 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
21 April 2014	Committee decision to retain listing
30 July 2014	Formal notification to petitioner with reasons

Case 45, one individual (Status: denied)

Date	*Description*
6 May 2013	Transmission of case 45 to the Committee
9 December 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
11 February 2014	Committee decision to retain listing
17 March 2014	Formal notification to petitioner with reasons

Case 46, Yacine Ahmed Nacer (Status: delisted)

Date	*Description*
10 May 2013	Transmission of case 46 to the Committee
30 December 2013	Comprehensive report submitted to the Committee
25 February 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
13 March 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 47, Nabil Benatia (listed as Nabil ben Mohamed ben Ali ben Attia) (Status: delisted)

Date	*Description*
3 June 2013	Transmission of case 47 to the Committee
12 November 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 48, Wael Hamzah Jelaidan (listed as Wa'el Hamza Abd al-Fatah Julaidan) (Status: delisted)

Date	*Description*
17 June 2013	Transmission of case 48 to the Committee
19 March 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
25 August 2014	Committee decision to delist
29 October 2014	Formal notification to petitioner with reasons

Case 49, one individual (Status: denied)

Date	*Description*
24 June 2013	Transmission of case 49 to the Committee
4 April 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
24 June 2014	Committee decision to retain listing
10 September 2014	Formal notification to petitioner with reasons

Case 50, Al-Haramain Foundation (USA) (Status: delisted)

Date	*Description*
5 September 2013	Transmission of case 50 to the Committee
30 June 2014	Comprehensive report submitted to the Committee
26 August 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
25 October 2014	Committee decision to delist
29 December 2014	Formal notification to petitioner with reasons

Case 51, Aqeel Abdulaziz Aqeel Al-Aqeel (Status: delisted)

Date	*Description*
28 October 2013	Transmission of case 51 to the Committee
18 August 2014	Comprehensive report submitted to the Committee
31 October 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
3 March 2015	Formal notification to petitioner with reasons

Case 52, one individual (Status: denied)

Date	*Description*
27 May 2014	Transmission of case 52 to the Committee
18 February 2015	Comprehensive report submitted to the Committee
14 April 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
14 April 2015	Committee decision to retain listing
10 June 2015	Formal notification to petitioner with reasons

Case 53, Abd al-Rahman Muhammad Jaffar 'Ali (Status: delisted)

Date	*Description*
13 June 2014	Transmission of case 53 to the Committee
9 December 2014	Comprehensive report submitted to the Committee
29 January 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
31 March 2015	Committee decision to delist
12 May 2015	Formal notification to petitioner with reasons

Case 54, Abdul Rahim Hammad Ahmad al-Talhi (Status: delisted)

Date	*Description*
19 June 2014	Transmission of case 54 to the Committee
29 January 2015	Comprehensive report submitted to the Committee
17 March 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
17 May 2015	Committee decision to delist
22 July 2015	Formal notification to petitioner with reasons

Case 55, Ismail Mohamed Ismail Abu Shaweesh (Status: delisted)

Date	*Description*
23 June 2014	Transmission of case 55 to the Committee
10 November 2014	Comprehensive report submitted to the Committee
16 December 2014	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
17 February 2015	Formal notification to petitioner with reasons

Case 56, one individual (Status: denied) (Repeated request)

Date	*Description*
5 September 2014	Transmission of case 56 to the Committee
21 April 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
19 June 2015	Committee decision to retain listing
10 July 2015	Formal notification to petitioner with reasons

Case 57, one individual (Status: denied) (Repeated request)

Date	*Description*
9 September 2014	Transmission of case 57 to the Committee
8 June 2015	Comprehensive report submitted to the Committee
27 July 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
27 July 2015	Committee decision to retain listing
20 August 2015	Formal notification to petitioner with reasons

Case 58, one individual (Status: denied)

Date	*Description*
30 August 2014	Transmission of case 58 to the Committee
29 June 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
24 August 2015	Committee decision to retain listing
30 October 2015	Formal notification to petitioner with reasons

Case 59, Al Sayyid Ahmed Fathi Hussein Eliwah (Status: delisted)

Date	*Description*
30 September 2014	Transmission of case 59 to the Committee
12 May 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
18 August 2015	Committee decision to delist
2 September 2015	Formal notification to petitioner with reasons

Case 60, Mohammed Ahmed Shawki al Islambolly (Status: delisted)

Date	*Description*
10 November 2014	Transmission of case 60 to the Committee
13 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
26 October 2015	Committee decision to delist
27 October 2015	Formal notification to petitioner with reasons

Case 61, Yasser Mohamed Ismail Abu Shaweesh (Status: delisted)

Date	*Description*
19 January 2015	Transmission of case 61 to the Committee
7 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
9 September 2015	Committee decision to delist
6 November 2015	Formal notification to petitioner with reasons

Case 62, Abd al Wahab Abd al Hafiz (Status: delisted)

Date	*Description*
11 March 2015	Transmission of case 62 to the Committee
9 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
11 January 2016	Committee decision to delist
22 January 2016	Formal notification to petitioner with reasons

Case 63, one individual (Status: denied)

Date	*Description*
12 March 2015	Transmission of case 63 to the Committee
10 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
23 December 2015	Committee decision to retain listing
12 January 2016	Formal notification to petitioner with reasons

Case 64, one individual (Status: denied)

Date	*Description*
29 May 2015	Transmission of case 64 to the Committee
25 February 2016	Comprehensive report submitted to the Committee
20 April 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 April 2016	Committee decision to retain listing
9 June 2016	Formal notification to petitioner with reasons

Case 65, Farid Aider (Status: delisted)

Date	*Description*
27 August 2015	Transmission of case 65 to the Committee
26 February 2016	Comprehensive report submitted to the Committee
20 April 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 June 2016	Committee decision to delist
20 June 2016	Formal notification to petitioner with reasons

Case 66, one individual (Status: denied)

Date	*Description*
15 October 2015	Transmission of case 66 to the Committee
15 June 2016	Comprehensive report submitted to the Committee
8 August 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
8 August 2016	Committee decision to retain listing
23 September 2016	Formal notification to petitioner with reasons

Case 67, Daniel Martin Schneider (Status: delisted)

Date	*Description*
3 February 2016	Transmission of case 67 to the Committee
29 April 2016	Comprehensive report submitted to the Committee
17 June 2016	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
5 July 2016	Committee decision to delist
22 August 2016	Formal notification to petitioner with reasons

Case 68, one individual (Status: denied)

Date	*Description*
22 March 2016	Transmission of case 68 to the Committee
23 November 2016	Comprehensive report submitted to the Committee
3 February 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
3 February 2017	Committee decision to retain listing
5 April 2017	Formal notification to petitioner with reasons

Case 69, Ata Abdoulaziz Rashid (Status: delisted)

Date	*Description*
8 June 2016	Transmission of case 69 to the Committee
30 December 2016	Comprehensive report submitted to the Committee
1 March 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
1 May 2017	Committee decision to delist
19 May 2017	Formal notification to petitioner with reasons

Case 70, Fahd Muhammad Abd al-Aziz al-Khashiban (Status: delisted)

Date	*Description*
12 July 2016	Transmission of case 70 to the Committee
16 January 2017	Comprehensive report submitted to the Committee
1 March 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
16 March 2017	Committee decision to delist
27 March 2017	Formal notification to petitioner with reasons

Case 71, Othman Deramchi (Status: delisted)

Date	*Description*
3 August 2016	Transmission of case 71 to the Committee
6 April 2017	Comprehensive report submitted to the Committee
19 May 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
20 July 2017	Committee decision to delist
1 August 2017	Formal notification to petitioner with reasons

Case 72, Dieman Abdulkadir Izzat (Status: delisted)

Date	*Description*
9 September 2016	Transmission of case 72 to the Committee
27 February 2017	Comprehensive report submitted to the Committee
11 April 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
28 April 2017	Committee decision to delist
9 May 2017	Formal notification to petitioner with reasons

Case 73, one individual (Status: denied)

Date	*Description*
23 September 2016	Transmission of case 73 to the Committee
11 May 2017	Comprehensive report submitted to the Committee
13 July 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
13 July 2017	Committee decision to retain listing
26 July 2017	Formal notification to petitioner with reasons

Case 74, Fritz Martin Gelowicz (Status: delisted)

Date	*Description*
17 October 2016	Transmission of case 72 to the Committee
7 March 2017	Comprehensive report submitted to the Committee
11 April 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
28 April 2017	Committee decision to delist
9 May 2017	Formal notification to petitioner with reasons

Case 75, one individual (Status: denied)

Date	*Description*
17 November 2016	Transmission of case 75 to the Committee
17 May 2017	Comprehensive report submitted to the Committee
13 July 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
13 July 2017	Committee decision to retain listing
26 July 2017	Formal notification to petitioner with reasons

Case 76, one individual (Status: Committee phase)

Date	*Description*
22 November 2016	Transmission of case 76 to the Committee
19 July 2017	Comprehensive report submitted to the Committee

Case 77, Adil Muhammad Mahmud Abd al-Khaliq (Status: delisted)

Date	*Description*
28 November 2016	Transmission of case 77 to the Committee
24 May 2017	Comprehensive report submitted to the Committee
13 July 2017	Presentation of the Comprehensive Report by the Ombudsperson to the Committee
28 July 2017	Committee decision to delist
7 August 2017	Formal notification to petitioner with reasons

Case 78, one individual (Status: Committee phase)

Date	*Description*
7 December 2016	Transmission of case 78 to the Committee
7 August 2017	Comprehensive report submitted to the Committee

Case 79, one individual (Status: Information-gathering phase)

Date	*Description*
27 March 2017	Transmission of case 79 to the Committee
27 November 2017	Deadline for completion of the Information-gathering phase